

UNITED STATES DISTRICT COURT

United States Courts
Southern District of Texas
FILED

for the

MAY 28 2019

Southern District of Texas

David J. Bradley, Clerk of Court

____Houston____ Division

19 CV 1912

Nikolson Lacour

Case No.

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Apache Corporation

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Nikolson Lacour
Street Address	5707 Iron Horse
City and County	Missouri City, Fort bend
State and Zip Code	Texas 77459
Telephone Number	9738556561
E-mail Address	nikolsonlacour@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Apache Corporation
------	--------------------

Job or Title <i>(if known)</i>	
--------------------------------	--

Street Address	2000 Post Oak Boulevard Suite 100
----------------	-----------------------------------

City and County	Houston, Harris
-----------------	-----------------

State and Zip Code	Texas 77056-4400
--------------------	------------------

Telephone Number	(713) 296-6000
------------------	----------------

E-mail Address <i>(if known)</i>	
----------------------------------	--

Defendant No. 2

Name	
------	--

Job or Title <i>(if known)</i>	
--------------------------------	--

Street Address	
----------------	--

City and County	
-----------------	--

State and Zip Code	
--------------------	--

Telephone Number	
------------------	--

E-mail Address <i>(if known)</i>	
----------------------------------	--

Defendant No. 3

Name	
------	--

Job or Title <i>(if known)</i>	
--------------------------------	--

Street Address	
----------------	--

City and County	
-----------------	--

State and Zip Code	
--------------------	--

Telephone Number	
------------------	--

E-mail Address <i>(if known)</i>	
----------------------------------	--

Defendant No. 4

Name	
------	--

Job or Title <i>(if known)</i>	
--------------------------------	--

Street Address	
----------------	--

City and County	
-----------------	--

State and Zip Code	
--------------------	--

Telephone Number	
------------------	--

E-mail Address <i>(if known)</i>	
----------------------------------	--

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name	Apache Corporation
Street Address	17802 Frontage Rd #300
City and County	San Antonio, Bexar
State and Zip Code	Texas, 78257
Telephone Number	(201) 678-3900

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to *(check all that apply)*:



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Other federal law *(specify the federal law)*:



Relevant state law *(specify, if known)*:



Relevant city or county law *(specify, if known)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

☐

Failure to hire me.

☒

Termination of my employment.

☐

Failure to promote me.

☐

Failure to accommodate my disability.

☐

Unequal terms and conditions of my employment.

☐

Retaliation.

☐

Other acts *(specify)*: _____

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

08/03/2019

C. I believe that defendant(s) *(check one)*:

☐

is/are still committing these acts against me.

☒

is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

☒

race

Black / African American

☐

color

☐

gender/sex

☐

religion

☒

national origin

Haitian

☐

age *(year of birth)*

(only when asserting a claim of age discrimination.)

☐

disability or perceived disability *(specify disability)*

E. The facts of my case are as follows. Attach additional pages if needed.

I was hired on July 17th 2018 as a Scada Engineer to support the team. In an engineering meeting, management that had direct power on my continuing employment said that they were willing to work with an engineer, but they will not because he came in this country with his arrogant French accent think he can teach them about statistics. I have a French accent, I sent the email about statistics. In presence of management, the defendant allow other coworker to yell at me, while other races were treated with respect. Coworkers said publicly, with witnesses, that more fried chicken restaurant will be needed in the area since more people are coming. Coworkers said publicly that they will need slaves for their lawn but nowadays they are expensive. Management had meeting with coworkers to reject the defendant.

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

08/21/2018

- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 03/25/2019 .

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Declare the conduct engaged in by Defendants to be in violation of Plaintiff's rights; enjoin Defendant from engaging in such conduct; order front salary and benefits for the period Plaintiff took a new job less wage until the 6-months the contract supposed to last at least before the plaintiff become permanent in the amount of \$56,700; award Plaintiff equitable relief of back salary and fringe benefits up to the date of finding a new job; award Plaintiff compensatory and punitive damages of \$35,500; award Plaintiff costs and attorney's fees in the amount of \$2,500; and grant such other relief as it may deem just and proper.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 05/28/2019

Signature of Plaintiff

Printed Name of Plaintiff Nikolson Lacour

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address